

Attorney's Docket No. 002240.P015D

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary S. Chisholm, et al.

Examiner: Hernandez, O.

Official

Application No.: 09/049,161

Art Group: 3661

Filed: March 26, 1998

FAX RECEIVED

For: METHOD AND APPARATUS FOR
PRECISE POSITIONING OF
LARGE STRUCTURES

JUN 07 2002

GROUP 3600

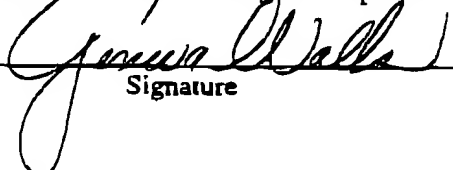
Commissioner of Patents
Washington, DC 20231-9998AMENDMENT AND RESPONSE TO THE OFFICE ACTION

Sir:

In response to the Office Action mailed October 24, 2001, reconsideration of this application is respectfully requested.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on January 23, 2002
Date of DepositGeneva Walls
Name of Person Mailing Correspondence
SignatureJanuary 23, 2002
Date

REMARKS

Reconsideration of this application, as amended, is respectfully requested. The pending claims recite a precise positioning apparatus which provides a user with a present position, orientation and attitude of a structure. Further, the user is provided with a desired position, orientation and attitude of the structure. These claims are patentable over the cited references as follows.

I. 35 U.S.C. § 102

The Examiner rejected claim 11 under 35 U.S.C. § 102(e) in light of Anderson et al., U.S. Patent No. 6,032,084 ("Anderson '084"). Anderson '084 does not teach providing a user with a present attitude of a structure. Furthermore, Anderson '084 does not teach providing a user with a desired attitude of a structure. Indeed, Anderson '084 merely provides for utilizing GPS to calculate a feedlot vehicles position as explained at col. 18, ll. 66 to col. 19, ll. 21:

In Differential Mode, each GPS receiver, in addition to monitoring GPS satellite signals, will receive error information transmitted from GPS base station 31 located at some known position. As shown in FIG. 2A2, the GPS base station 31 includes a receiver 86 for monitoring GPS satellite signals transmitted from the GPS satellites. In addition, the GPS base station includes a computer system 87 which has preprogrammed into its memory the precise position at which it is located relative to the global feedlot reference system R.sub.feedlot. The function of the GPS base station computer 87 is to compare its known position (stored in its memory) with its coordinate position computed using the GPS satellite signals. The difference (i.e., error) between (i) the known GPS base station location and (ii) the calculated GPS base station location is used by modem 88 to modulate a carrier signal produced from transmitter 89. This

transmitted error signal is received by the GPS receivers mounted on each feedlot vehicle. Using the received error measure, each such GPS receiver adjusts (i.e., corrects) in real-time its calculated position, thereby overcoming the limitations of the GPS receivers operated in the Stand-Alone Mode.

In contrast, the precise positioning apparatus recited in claim 11 provides for the display of the present position, orientation and attitude of a structure associated with a GPS receiver, and the display of a desired position, orientation and attitude of the structure. Therefore, independent claim 11 is patentable over Anderson '084 under 35 U.S.C. § 102(e). Because independent claim 11 is allowable, dependent claims 12-20 are also patentable over Anderson '084 under 35 U.S.C. § 102(e).

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 1/23 2002


Tarek N. Fahmi
Reg. No. 41,402

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 947-8200

**BLAKELY
SOKOLOFF
TAYLOR &
ZAFMAN**A LIMITED LIABILITY
PARTNERSHIP INCLUDING
LAW CORPORATIONS1279 OAKMEAD PARKWAY
SUNNYVALE, CALIFORNIA 94086
(408) 720-8598 (Telephone)
(408) 720-9397 (Facsimile)**FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)**Deliver to: William A. Chuchlinski, Jr.Firm Name: U.S. PATENT AND TRADEMARK OFFICEFax Number: 703.305.7687 Telephone No.: _____From: Mark McCabeDate: June 6, 2002 Time: 1:27 p.m.Operator: Gayle Jacob Matter: 002240.P015DNumber of pages including cover sheet: 14In Re Patent Application of: Gary S. Chosholm, et al.Application No.: 09/049,161Filed: 3/26/1998For: METHOD AND APPARATUS FOR PRECISE POSITIONING OF LARGE
STRUCTURES

Enclosed are the following documents: _____

Supplemental Amendment and accompanying documentation.**FAX RECEIVED**

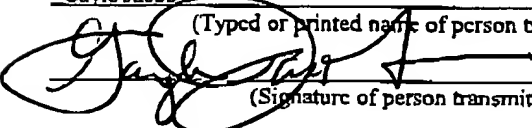
JUN 07 2002

Official**GROUP 3600****CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

Date of Transmission June 6, 2002Gayle Jacob

(Typed or printed name of person transmitting paper)


(Signature of person transmitting paper)**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman LLP that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES, PLEASE CALL (408) 720-8598 AND ASK FOR THE OPERATOR NAMED ABOVE.

Application No.: 09/049,161 Filing Date: 03/26/98 BSTZ Docket #: 002240.P015D Any/Sec: TNF/MCM/pab
Date Mailed: 05/02/2002 Docket Due Date(s): 05/02/2002 05/02/2002 Client: Trimble Navigation Ltd
Title: Method and Apparatus for Precise Positioning of Large Structures

Inventor(s) Chisholm, Handsby, O'Meara, Monro

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Amendment: After Final (3 pgs) | <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08 (pgs) |
| <input type="checkbox"/> Appeal Brief & two copies (pgs) | <input type="checkbox"/> Issue Fee Transmittal (original & copy) |
| <input type="checkbox"/> Application: (pages w/ cover & abstract) | <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i) |
| <input type="checkbox"/> Assignment & Cover Sheet (pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Certificate of | <input type="checkbox"/> Petition for: _____ |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input type="checkbox"/> Declaration & POA (pgs) | <input type="checkbox"/> Reply Brief (pgs) |
| <input type="checkbox"/> Drawings: sheets, figures | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Express Mail No: _____ | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____ | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> Fee Transmittal (original & copy) | <input type="checkbox"/> Transmittal of Formal Drawings |
| <input checked="" type="checkbox"/> Other Postcard | <input type="checkbox"/> Transmittal of Publication Fee Due |
| | <input checked="" type="checkbox"/> Transmittal Letter |
| | <input type="checkbox"/> Check No. _____ in the Amount of |
| | <input type="checkbox"/> Check No. _____ in the Amount of |

SJ

PTO/SB/21 (08-08)

Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

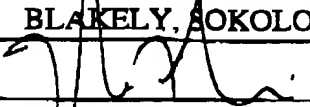
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/049.161
		Filing Date	March 26, 1998
		First Named Inventor	Gary Sedman Chisholm
		Group Art Unit	3661
		Examiner Name	Olga Hernandez
Total Number of Pages In This Submission	4	Attorney Docket Number	2240P015D

ENCLOSURES (check all that apply)

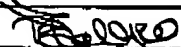
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 80px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Tarek N. Fahmi, Reg. No. 41,402 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	May 7, 2002

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Box AF, Assistant Commissioner for Patents, Washington, D.C. 20231 on:
May 7, 2002

Typed or printed name	Patricia A. Balero		
Signature		Date	May 7, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED
FEB 4 1 2002

ENTERED
FEB 2 1 2002
STATUS DB-LA

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

Serial/Patent No.: 09/049,161 Filing/Issue Date: March 26, 1998
 Client: Trimble Navigation Ltd.
 Title: METHOD AND APPARATUS FOR PRECISE POSITIONING OF LARGE STRUCTURES
 BSTZ File No.: 002240.P015D Atty/Secy Initials: TNE/MCM/gw
 Date Mailed: January 23, 2001 Docket Due Date: 1/24/2002
 The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input checked="" type="checkbox"/> Amendment/Response (<u>3</u> pgs.)	<input type="checkbox"/> Express Mail No. _____	<input type="checkbox"/> Check No. _____
<input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)	<input type="checkbox"/> _____ Month(s) Extension of Time	<input type="checkbox"/> Amt. _____
<input type="checkbox"/> Application - Utility (____ pgs. with cover and abstract)	<input type="checkbox"/> Information Disclosure Statement & PTO 149 (____ pgs.)	<input type="checkbox"/> Check No. _____
<input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)	<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> Amt. _____
<input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)	<input type="checkbox"/> Notice of Appeal	
<input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)	<input type="checkbox"/> Petition for Extension of Time	
<input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)	<input type="checkbox"/> Petition for _____	
<input type="checkbox"/> Application - Design (____ pgs.)	<input checked="" type="checkbox"/> Postcard	
<input type="checkbox"/> Application - PCT (____ pgs.)	<input type="checkbox"/> Power of Attorney (____ pgs.)	
<input type="checkbox"/> Application - Provisional (____ pgs.)	<input type="checkbox"/> Preliminary Amendment (____ pgs.)	
<input type="checkbox"/> Assignments and Cover Sheet	<input type="checkbox"/> Reply Brief (____ pgs.)	
<input checked="" type="checkbox"/> Certificate of Mailing (First Class)	<input type="checkbox"/> Response to Notice of Missing Parts	
<input type="checkbox"/> Declaration & FOA (____ pgs.)	<input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business	
<input type="checkbox"/> Disclosure Docs & Copy of Inventor's Signed Letter (____ pgs.)	<input checked="" type="checkbox"/> Transmittal Letter, in duplicate	
<input type="checkbox"/> Drawings: _____ # of sheets includes _____ figures	<input type="checkbox"/> Fee Transmittal, in duplicate	
<input type="checkbox"/> Other: _____		



Serial/Patent No.: 09/049,161 Filing/Issue Date: March 26, 1998
Client: Trimble Navigation Ltd.
Title: METHOD AND APPARATUS FOR PRECISE POSITIONING OF LARGE STRUCTURES

BSTZ File No.: 002240 P015D Any/Secy Initials: TNE/MCM/gwr
Date Mailed: January 23, 2001 Docker Due Date: 1/24/2002

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input checked="" type="checkbox"/> Amendment/Response (<u>3</u> pgs.)	<input type="checkbox"/> Express Mail No.: _____	<input type="checkbox"/> Check No. _____
<input type="checkbox"/> Appeal Brief (<u> </u> pgs.) (in triplicate)	<input type="checkbox"/> _____ Month(s) Extension of Time	<input type="checkbox"/> AISC _____
<input type="checkbox"/> Application - Utility (<u> </u> pgs. with cover and abstract)	<input type="checkbox"/> Information Disclosure Statement & PIDS MFR (<u> </u> pgs.)	<input type="checkbox"/> Check No. _____
<input type="checkbox"/> Application - Rule 1.53(b) Communication (<u> </u> pgs.)	<input type="checkbox"/> Late Fee Transmittal	<input type="checkbox"/> AISC _____
<input type="checkbox"/> Application - Rule 1.53(b) Divisional (<u> </u> pgs.)	<input type="checkbox"/> Notice of Appeal	
<input type="checkbox"/> Application - Rule 1.53(b) CIP (<u> </u> pgs.)	<input type="checkbox"/> Petition for Extension of Time	
<input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (<u> </u> pgs.)	<input type="checkbox"/> Petition for _____	
<input type="checkbox"/> Application - Design (<u> </u> pgs.)	<input checked="" type="checkbox"/> Reamendment	
<input type="checkbox"/> Application - PCT (<u> </u> pgs.)	<input type="checkbox"/> Power of Attorney (<u> </u> pgs.)	
<input type="checkbox"/> Application - Provisional (<u> </u> pgs.)	<input type="checkbox"/> Preliminary Amendment (<u> </u> pgs.)	
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> Reply Brief (<u> </u> pgs.)	
<input checked="" type="checkbox"/> Certificate of Mailing (First Class)	<input type="checkbox"/> Response to Notice of Missing Parts	
<input type="checkbox"/> Declaration & PDA (<u> </u> pgs.)	<input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business	
<input type="checkbox"/> Electronic Drawings (Copy of Printed Sheet) (<u> </u> pgs.)	<input checked="" type="checkbox"/> Transmittal Letter, in duplicate	
<input type="checkbox"/> Drawings: <u> </u> of sheets includes <u> </u> figures	<input type="checkbox"/> Fee Transmittal, in duplicate	
<input type="checkbox"/> Other: _____		

Attorney's Docket No.: 002240.P015DPatentIn re the Application of: Gary S. Chisholm, et al.

(Inventor(s))

Application No.: 09/049,161Filed: March 26, 1998For: METHOD AND APPARATUS FOR PRECISE POSITIONING OF LARGE STRUCTURES

(Title)

COMMISSIONER FOR PATENTS

Washington, D.C. 20231

SIR: Transmitted herewith is an Amendment for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

X

No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra
Total Claims	*10	Minus	**21	0
Indep. Claims	*1	Minus	***3	0
<input type="checkbox"/>	First Presentation of Multiple Dependent Claim(s)			

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the 'Highest No. Previously Paid For' IN THIS SPACE is less than 20, write "20" in this space.

*** If the 'Highest No. Previously Paid For' IN THIS SPACE is less than 3, write "3" in this space. The 'Highest No. Previously Paid For' (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

SMALL ENTITY

Rate	Additional Fee
X9	\$
X42	\$
+140	\$
Total Add. Fee	\$

OTHER THAN A
SMALL ENTITY

Rate	Additional Fee
X18	\$
X84	\$
+280	\$
Total Add. Fee	\$0

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on January 23, 2002
Date of Deposit

Geneva Walls

Name of Person Mailing Correspondence

Signature

January 23, 2002

Date

_____ A check in the amount of \$_____ is attached for presentation of additional claim(s).
_____ Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to
37 C.F.R. § 1.136(a).

_____ A check for \$_____ is attached for processing fees under 37 C.F.R. § 1.17.

_____ Please charge my Deposit Account No. 02-2666 the amount of \$_____.

_____ **A duplicate copy of this sheet is enclosed.**

X The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the
following fees associated with this communication or credit any overpayment to Deposit Account
No. 02-2666 (a duplicate copy of this sheet is enclosed):

X Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of
extra claims.

X Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 1/22/02

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 947-8200


Tarek N. Fahmi

Reg. No. 41.402